

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BRYAN LEE STETSON,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT
OF CORRECTIONS, BERNARD
WARNER, KATHRYN L. BRUNER,

Defendants.

NO. C15-5524 BHS-KLS

ORDER GRANTING PLAINTIFF'S
MOTION TO SUBSTITUTE PARTY

Plaintiff Bryan Lee Stetson moves to substitute acting Department of Corrections (DOC) Secretary Richard Morgan as the successor of Defendant Bernard Warner. Dkt. 47. Defendants are not opposed to the motion, and note that “‘when a public officer who is a party in an official capacity dies, resigns, or otherwise ceases to hold office while the action is pending . . . [t]he officer’s successor is automatically substituted as a party.’ Fed. R. Civ. P. 25(d). ‘An order of substitution is not required, but may be entered at any time if a party desires or the court thinks fit.’ Fed. R. Civ. P. 25, Advisory Committee Notes, 1961 Amendment.” Dkt. 48.

Accordingly, it is **ORDERED**:

(1) Plaintiff’s motion to substitute (Dkt. 47) is **GRANTED**.

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1 (2) The Clerk is directed to change the caption to reflect Richard Morgan as
2 defendant and to remove Bernard Warner as defendant.

3 (3) The Clerk shall send a copy of this Order to plaintiff and counsel for defendants.

4 **DATED** this 17th day of June, 2016.

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7 Karen L. Strombom
8 United States Magistrate Judge
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